

**IN THE UNITED STATE PATENT AND TRADEMARK OFFICE**

Applicant: KUMAR et al. Examiner: Bernhardt, Emily B  
Serial No.: 10/598,370 Group Art Unit: 1624  
Filed: 08/25/2008 Confirmation No.: 3246  
For: PROCESS FOR THE PREPARATION OF ZIPRASIDONE

**RESPONSE TO RESTRICTION REQUIREMENT DATED SEPTEMBER 30, 2010**

In response to the Office Action dated September 30, 2010, Applicants elect Group III (claims 20-21 and 28-31), drawn to ziprasidone as the free base or HCl salt having a purity of 99.8% or greater and compositions/use thereof. Applicants further elect Examples 6 and 7 as representative respectively of ziprasidone HCl and base having purity of 99.8% or greater.

Applicants wish to respectfully point out that election of a single example is in no way meant to limit the scope of the claim to only the elected example. Also, the Applicants understand that the scope of the independent invention will encompass all examples within the scope of the claim. Applicants reserve the right to file divisional applications on all non-elected subject matter of instant application. The Examiner is therefore requested to examine the elected claims immediately.

Authorization is hereby given to charge any fees deemed to be due in connection with this Response to Deposit Account No. 50-0912.

Respectfully submitted,

KUMAR et al.

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